

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>WILLIAM MATTHEWS</b>  <b>v.</b>  <b>BIOTELEMTRY, INC. d/b/a CARDIONET</b>	<b>CIVIL ACTION</b>  <b>NO. 18-561</b>
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**Baylson, J.**

**July 31, 2018**

**ORDER RE: MOTION TO DISMISS**

**AND NOW**, this 31<sup>st</sup> day of July, 2018, for the reasons explained in the foregoing memorandum, it is hereby **ORDERED** that the Motion to Dismiss Count II of the Complaint (ECF 10) is **GRANTED** without prejudice and with leave to amend, within fourteen (14) days.

**BY THE COURT:**

/s/ **Michael M. Baylson**

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**MICHAEL M. BAYLSON, U.S.D.J.**